# STATE OF NEW YORK

9135

# IN ASSEMBLY

January 22, 2020

Introduced by M. of A. GALEF -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to ordering services where the identified caregivers being unwilling or unable to give proper care

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. Subdivision 4 of section 2994-ll of the public health law, as added by a chapter of the laws of 2019, amending the public health law relating to central venous lines, as proposed in legislative bill numbers S. 474 and A. 212, is REPEALED.

§ 2. Subdivision 1 of section 2994-ll of the public health law, as added by chapter 391 of the laws of 2015, is amended to read as follows:

1. As soon as possible and not later than twenty-four hours prior to a patient's discharge from a hospital, the hospital shall consult with the identified caregiver along with the patient regarding the caregiver's capabilities and limitations and issue a discharge plan that describes a patient's after-care needs at his or her residence. In the event the hospital is unable to contact the designated caregiver, the lack of contact shall not interfere with, delay, or otherwise affect the medical care provided to the patient or an appropriate discharge of the patient. **In the event that the identified caregiver is unwilling or unable to confidently provide proper care, the hospital shall assess whether other services, including but not limited to home care services, are needed and, if necessary, order such services.** The hospital shall promptly document the attempt in the patient's medical record. At minimum, a discharge plan shall include:

(a) the name and contact information of the caregiver identified under this article;

(b) a description of all after-care tasks recommended by the discharging physician, taking into account the capabilities and limitations of the caregiver; and

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(c) contact information for health care, community resources, and long-term services and supports necessary to successfully carry out the patient's discharge plan.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the public health law relating to central venous lines, as proposed in legislative bill numbers S. 474 and A. 212, takes effect.